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WITHEROW & TERRANOVA

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dany Sylvain et al.

Serial No. 09/206,277

Filed: 12/07/1998

For: HYBRID TDM AND ATM VOICE SWITCHING CENTRAL OFFICE AND  
METHOD OF COMPLETING INTER-OFFICE CALLS USING SAME

Examiner: Teegaye, Saba  
Art Unit: 2662

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE TO THE OFFICE ACTION MAILED OCTOBER 6, 2003

In response to the office action mailed October 6, 2003, please find enclosed the following response. If any fees are required in association with this response, the Director is hereby authorized to charge them to Deposit Account 50-1732, and consider this a petition therefor.

01/06/2005 JDOBBS 00000011 501732 09206277

PAGE 2/9 \* RCVD AT 12/22/2003 10:53:49 AM [Eastern Standard Time] \* SVR:USPTO-EFAX-1/0 \* DNIS:8729306 \* CSID:919 654 4521 \* DURATION (mm-ss):02:10

REMARKS

Applicant would like to thank the Examiners Saba Tsegaye and John Pezzlo for the telephonic interview on December 16, 2003. In response to the interview, Applicant submits this response with amendments to the independent claims to clarify that the switch of the present invention is capable of establishing calls through the packet fabric, the switch fabric, and the packet fabric and the switch fabric. Further, the switch establishes a call through one of the packet fabric, the switch fabric, or the packet fabric and the switch fabric based on the originating and termination end points.

In addition to the Dekelbaum reference cited to reject all pending claims under 35 U.S.C. § 102(e), Examiner Tsegaye pointed to a previously cited reference, Allen Jr. et al., for establishing calls over an ATM network. However, even if the Dekelbaum and Allen references are combined, the combination still fails to teach or suggest a single switch that establishes a call through the packet fabric, the switch fabric, or the packet fabric and the switch fabric based on the originating and termination end points.

Respectfully submitted,

WITHEROW & TERRANOVA, P.L.L.C.

By: 

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Date: December 22, 2003  
Attorney Docket: 7000-275

**CERTIFICATE OF TRANSMISSION**  
I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING  
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Examiner: Saba Tsegaye Att Unit: 2662 Fax: 703-872-9306

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